

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN

In Re:  
YOON S KIM  
Debtor(s)

Chapter 13 Bankruptcy  
Case No. 13-33754-MDM

**TRUSTEE'S OBJECTION AND NOTICE OF OBJECTION  
TO DEBTORS' PROPOSED CHAPTER 13 PLAN**

Mary B. Grossman, Standing Chapter 13 Trustee has filed papers with the court objecting to the proposed plan filed by the debtor.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

The Trustee, Mary B. Grossman, hereby objects to the proposed Chapter 13 Plan in this bankruptcy proceeding for the following reason(s):

- The proposed plan is not substantiated by a budget.
- This proposed plan does not provide for a feasible plan.
- The plan does not provide for the submission of all or such portion of future earnings or other future income of the debtor to the supervision and control of the Trustee as is necessary for the execution of the Plan. 11 U.S.C. §1322(a)(1).
- The plan does not provide for the full payment, in deferred cash payments, of all claims entitled to priority under 11 U.S.C. §507. 11 U.S.C. §1322(a)(2).
- The plan does not provide for the same treatment for each claim within a particular class. 11 U.S.C. §1322(a)(3).
- The plan has not been proposed in good faith. 11 U.S.C. §1325(a)(3).
- The plan does not provide that the value of property to be distributed under the plan is at least equal to the amount that would be paid on the unsecured claims in Chapter 7 liquidation. 11 U.S.C. §1325(a)(4).
- The debtor will be unable to make all the payments under the proposed plan or to otherwise comply with the terms of the proposed plan. 11 U.S.C. §1325(a)(6).
- Failure to pay all disposable income as required by §1325(b).
- Failure to properly serve post-confirmation plan modification as required by Rule 3015(g).
- Other: Failure to state amount of mortgage arrears to be paid through the Plan. Plan is not feasible with mortgage arrears stated on U.S. Bank's Proof of Claim when administrative fees are included.

The Trustee respectfully requests that a hearing be set in this matter.

Dated at Milwaukee, Wisconsin, this 13<sup>th</sup> day of February 2015

OFFICE OF CHAPTER 13 TRUSTEE

/s/ \_\_\_\_\_  
Mary B. Grossman, Chapter 13 Trustee  
Robert W. Stack, Staff Attorney  
Christopher D. Schimke, Staff Attorney  
Sandra M. Baner, Staff Attorney

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**CERTIFICATE OF SERVICE – TRUSTEE’S OBJECTION AND NOTICE OF OBJECTION  
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The undersigned being first duly sworn on oath, deposes and says that on this date she electronically or conventionally served a copy of the attached Notice of Objection to Debtor’s proposed Chapter 13 Plan in accordance with FRBP and FRCP (5)(b)(2)(D) .

Dated: February 13, 2015

/s/ \_\_\_\_\_  
Tongula Washington  
Administrative Assistant to  
Mary B. Grossman, Chapter 13 Trustee  
P.O. Box 510920  
Milwaukee, WI 53203  
(414) 271-3943

CONVENTIONAL MAIL RECIPIENTS:

Debtor(s):

YOON S KIM  
5900 STEFANIE WAY  
CALEDONIA, WI 53108

ELECTRONIC MAIL RECIPIENTS:

DELADURANTEY LAW OFFICE LLC  
OFFICE OF THE US TRUSTEE